CLASSIFICATION OFFICE DECISION

Title of publication:	Dbd004.jpg
Other known title(s):	Not stated
OFLC ref:	1601002.008
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	17 February 2017
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	17 February 2017

Summary of reasons for decision:

The publication is a computer image file which consists of 16 thumbnail images taken from a video, explicitly depicting a male and a female engaging in sexual activity. The Classification Office has considered whether the image file promotes or supports, or tends to promote or support, the exploitation of young persons for sexual purposes in terms of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993, and concluded that it does not. The images do not depict the subjects' faces, and it is difficult to tell what size their bodies are. It is not possible to determine the ages of the participants with confidence; they could be young persons, but they could equally be adults. The image file does however explicitly depict sexual activity. Such material is likely to adversely affect children and teenagers' development, as they are still in the process of forming their attitudes toward sex and developing their understanding of sexual behaviours. It is therefore restricted to adults. While this restriction limits the right to freedom of expression afforded by the New Zealand Bill of Rights Act 1990, it is considered reasonable and demonstrably justifiable in the interest of preventing likely injury to the public good.